



Ninety-Seventh Legislature - Second Session - 2002
Introducer's Statement of Intent
LB 909

Chairperson: Senator Ray Janssen
Committee: General Affairs
Date of Hearing: January 28, 2002

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 909 amends §9-1, 106.

Currently, §9-1, 106 allows Indian tribes, having jurisdiction over Indian lands in Nebraska, to request a tribal-state compact governing the conduct of class III gaming. This compact shall protect the health, safety, and welfare of the public and promote tribal economic development, tribal self-sufficiency, and strong tribal government. The negotiations shall be conducted pursuant to the provisions of 25 U.S.C. 2710 of the Indian Gaming Regulatory Act.

LB 909 would put additional requirements to the tribal-state compact negotiation process in the following ways:

- 1) The Governor (which includes his or her designated representative) shall report to the Legislature annually. The report shall contain information on compacts negotiated and an outline of prospective negotiations.
- 2) The State of Nebraska and the Indian tribes of Nebraska shall engage in good faith negotiations for a tribal-state compact governing the conduct of Class III gaming on Indian lands in Nebraska pursuant to the Federal Indian Gaming Regulatory Act (IGRA).
- 3) Gaming means all forms of gaming authorized under IGRA, including card games, slot machines, and other classifications known as Class III gaming under the act.
- 4) If the Legislature is in session upon completion of a negotiated compact:
 - a. The Governor shall submit the compact to the Legislature for approval or rejection.
 - b. The Legislature shall vote on the compact within ten legislative days after its introduction.
- 5) If the Legislature is not in session upon completion of a negotiated compact:
 - a. The Governor shall submit the compact to the Executive Board of the Legislative Council.
 - b. The executive board shall have thirty working days in which to vote on the proposed compact.

- 6) Neither the Legislature nor the executive board have the authority to amend or modify the proposed compact.
- 7) If a majority of the members of the Legislature or a majority of the members of the executive board vote in favor of the compact, the Governor may then execute the compact on behalf of the state.
- 8) The compact shall contain a provision recognizing the right of each party to the compact to request that the compact be renegotiated or replaced by a new compact and providing the terms under which either party may request a renegotiation of the compact or the negotiation of a new compact.
- 9) The Legislature, by resolution, may request renegotiation or replacement of the compact on behalf of the state. If the Legislature is not in session, the Executive Board of the Legislative Council by motion may request renegotiation or replacement of the compact.

Upon request for a renegotiation of the compact or the negotiation of a new compact, the existing compact remains in effect until renegotiated or replaced.

Principal Introducer:

Senator DiAnna R. Schimek